

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
INTER-OFFICE MEMO**

**November 20, 2012**

**TO: Rosemary Booth Gallogly**

**DEPT: Department of Revenue**

**FROM: Walter Craddock, Esq. Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS**

**Please be advised of the following matters which were heard before the Board on Thursday, November 7, 2012. Board members: Walter Craddock, Esq., Dennis Gerstmeyer, James Botvin and William Jeffery. Also present, Marcy Coleman, Esq., Division of Legal Services.**

**Lt. David Doucet of the Rhode Island State Police has recused himself from the decision process of the dealer hearing board while on special assignment the Department of Motor Vehicles Enforcement Division until further notice.**

**MEETING OF NOVEMBER 7, 2012 AT 12:30 PM AT THE  
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE ROOM  
600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF: OCTOBER 17,  
2012 BOARD HEARING**

**Minutes have been reviewed and accepted by the board.**

**2. TASCA AUTOMOTIVE GROUP SOUTH, INC. d/b/a/ TASCA  
CHRYSLER DODGE JEEP RAM ( Robert F. Tasca, Jr. Pres)  
FIRST APPLICATION - CASE # KR-12-311  
TO DEAL IN NEW CHRYSLER-DODGE-JEEP-RAM AND USED  
MOTOR VEHICLES ONLY.  
AT: 9 POST ROAD, WESTERLY, RI 02891**

**Decision: The Board has approved this application subject to the  
submission of copy of the dealer's agreement and finalization with  
the Dealers License and Regulations Office within 30 days. Twenty  
dealer plates have been awarded.**

**3. NARRAGANSETT CAR COMPANY OF RI, INC d/b/a HYUNDAI OF**

**NEWPORT**

**REQUEST FOR 12 ADDITIONAL “NEW” DEALER PLATES-CASE #  
KR-12-312**

**LICENSED SINCE 09-07-06; HAS 12 PLATES**

**Decision: The Board has approved the request for 12 additional  
dealer plates.**

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**4. DEALERS’ LICENSE & REGULATIONS OFFICE VS. APPLE  
VALLEY AUTO SALES & SERVICE, LLC ( Mario A. Rey, Member)  
SHOW CAUSE HEARING – CASE # KR12-145**

**Decision: The Board has suspended the license to do business as a  
motor vehicle dealer indefinitely after determining that the dealership  
is in violation of**

**RIGL§ 35-5-11(11), for having violated any law relating to the sale,  
distribution, or financing of motor vehicles. The Board has ordered  
the dealership to supply a business plan to the Dealers License and  
Regulations Office.**

**5. BRIAN IMBRIGLIO VS. APPLE VALLEY AUTO SALES & SERVICE, LLC ( Mario A. Rey, Member)**  
**COMPLAINT / SHOW CAUSE HEARING –CASE # KR-12-263**

**Decision:** The Board has determined that the dealership must reimburse the complainant \$2603.00 for repairs made to the vehicle to enable it to pass inspection which was not completed prior to the sale in violation of RIGL§ 31-38-01.

The Board has determined that Apple Valley Auto Sales and Service LLC is in violation of the following Rhode Island Rules and Regulations and is required to pay the amounts listed below which total \$300.00, to the Rhode Island Dealers License and Regulations Office.

**Fine: \$300.00:** Violation of RI Rules and Regulations Section VI (L): Allowing person not in their employ to represent the dealership.

**6. HAROLD R WHITING, JR VS. BALISE VOLKSWAGEN ( James A. Balise, Jr. Pres) COMPLAINT / SHOW CAUSE HEARING – CASE # DS-12-288**

**Decision:** The Board has ordered the dealership and the complainant to each be responsible for half of \$6500.00, the amount required to repair the vehicle, which requires each party to be responsible for \$3,250.00 each. The vehicle is to be returned to the complainant.

**The Board did not require the dealership to buy back the vehicle because the complainant operated the vehicle after a light was on indicating a problem with the engine.**

**7 PER WYRSCH VS. MEGA WHEELS AUTO SALES (David Voller, Sole Owner)**

**COMPLAINT / SHOW CAUSE HEARING – CASE # KR-12-287**

**Decision: The Board has determined that the dealership is not required to pay the complainant \$2500.00 and has requested that this case be referred to the state police for investigation.**

**The Board has determined that Mega Wheels Auto Sales is in violation of the following Rhode Island Rules and Regulations and is required to pay the amounts listed below which total \$200.00, to the Rhode Island Dealers License and Regulations Office.**

**HEARING BOARD RESULTS 11-07-12**

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**Fine: \$100.00: Violation of RI Rules and Regulations Section VII (E): Bills of sale do not have proper information printed on them as required.**

**Fine: \$100.00: Violation of RI Rules and Regulations Section VI (L):  
Allowing person not in their employ to represent the dealership.**

**8. DERRICK BRILHANTE VS CENTRAL AUTO SALES (Gary  
Badessa, Owner)**

**COMPLAINT / SHOW CAUSE HEARING –CASE # KR-12-286**

**This hearing was postponed at the request of, Angelo Simone, Esq.  
the attorney representing Central Auto Sales.**

**9. FOR DISCUSSION / DECISION**

**BCI RECORD ON TWO INDIVIDUALS**

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**Walter Craddock, Jr. Esq. Chairman**

**Cc: Marcy Coleman, Esq., Division of Legal Services**

**File: S:\Dealer\Agendas, Minutes and Reports\2012Agenda & Minutes**